IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE WRIT JURISDICTION

WRIT PETITION NO.3833 OF 2005

Snehlata Yashwant Jadhav ..Petitioner

V/s.

The State of Maharashtra & Ors. ..Respondents

Mrs.Varsha Palav for the petitioner.

Mr.P.I.Khemani AGP for Respondent Nos.1 to 3.

Coram : F.I.Rebello,J

Date : 17.10.2005.

PC

. By Judgment dated 15.11.1999 two revision applications were allowed and the Addl.Tahsildar and ALT Radhanagari was directed to decide after full enquiry in the light of the observation made in the preceeding paras of the Judgment. One of the test was to find out the object of the lease when it was granted. The matter is pending in this Court since the year 2000. The petition is for admission. The question is whether the impugned order suffers from any error aparent on the face of the record. The learned Counsel for the petitioner points out that there are concurrent findings on facts. The Addl.Tahsildar & ALT has held that entire land was grassy land. All these aspects were considered by

the revisional authority in its order. The revisional authority for that purpose recorded that the clubbing of 2 proceedings of Dhondiram Hirugade and Padalkar had occasioned prejudice as Dhondiram had no opportunity to explain in respect of his own portion how the crops were taken. Apart from that as noted earlier, the revisional authority has observed that one of the test which ought to have been applied, has not been applied so far as object of lease. In my opinion, this is not a fit case to exercise extra ordinary jurisdiction of this Court. All parties have opportunity of placing their case before the Tahsildar. As the matter is pending since 1999 the Tahsildar is directed to dispose of the matter within a period of 12 weeks from today.

(F.I.Rebello,J)